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14 **UNITED STATES BANKRUPTCY COURT**  
15 **SOUTHERN DISTRICT OF CALIFORNIA**  
16

17 In Re:

18 **DAVID MICHAEL PETERS**

19 Debtor.

20 **LEONARD J. ACKERMAN, Chapter 7**  
21 **Trustee,**

22 Plaintiff,

23 v.

24 **DAVID MICHAEL PETERS,**

25 Defendant.

26 Case No. 23-00105-MM7

27 Adv. No. 23-90068 MM

28 **NOTICE OF REQUIREMENT  
TO COMPLY WITH  
BANKRUPTCY LOCAL RULE 7016**

29 Dept. One (1)

30 Judge: Honorable Margaret M. Mann

31 PLEASE TAKE NOTICE that compliance with Bankruptcy Local Rule 7016 is required in  
32 this adversary proceeding. A copy of Local Form CSD 3018, Certificate of Compliance with Early  
33 Conference of Counsel, is attached hereto, marked Exhibit "A".

34 Dated: October 15, 2023

35 Respectfully Submitted,

36 SLATER & TRUXAW, LLP

37 By: /s/ Gary E. Slater

38 Gary E. Slater

39 Attorneys for Plaintiff

40 Leonard J. Ackerman, Chapter 7 Trustee

41 SLATER & TRUXAW  
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CSD 3018 [12/01/2022]  
 Name, Address, Telephone No. & I.D. No.

<b>UNITED STATES BANKRUPTCY COURT</b> SOUTHERN DISTRICT OF CALIFORNIA 325 West F Street, San Diego, California 92101-6991		
In Re	Debtor.	BANKRUPTCY NO.
v.	Plaintiff(s)	ADVERSARY NO.
	Defendant(s)	Date & Time of Pre-Trial Status Conference:  Name of Judge:

**CERTIFICATE OF COMPLIANCE WITH EARLY CONFERENCE OF COUNSEL**  
**[LOCAL BANKRUPTCY RULE 7016-1]**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

The parties submit the following **Certificate of Compliance with Early Conference of Counsel** in accordance with LBR 7016-1(c):

**A. SERVICE OF PLEADINGS**

- |   |                              |                             |
|---|------------------------------|-----------------------------|
| 1. Have all parties been served?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Have all parties filed and served answers to the complaint, counterclaims, etc.? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

**B. SETTLEMENT AND MEDIATION**

1. What is the status of settlement efforts?

2. Has this dispute been formally mediated? If so, when?

3. Has mediation been discussed with your client? (See LBR 7016-3.)

Plaintiff	Defendant
<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> No	<input type="checkbox"/> No

4. The parties desire to go to voluntary, non-binding mediation. (See Administrative Procedures, Section 5) They have reviewed the list of mediators on the court's website ([www.casb.uscourts.gov](http://www.casb.uscourts.gov)) or obtained the list from the court and have selected the following persons subject to availability as first, second, and third choices for mediator:

First Choice:

Second Choice:

Third Choice:

Parties are requested to notify the courtroom deputy of their preferences at the time a pretrial status conference date is obtained.

CSD 3018 [12/01/2022]

**C. DISCOVERY**

1. Discovery should be propounded in time to be completed by \_\_\_\_\_.
2. The parties held their early conference of counsel on \_\_\_\_\_.  
(LBR 7016-1(a)(3) requires the early conference of counsel within 30 days after all defendants have appeared or, in cases having multiple defendants, within 45 days after the first defendant appears.)
3. Initial disclosures (FRBP 7026(a)(1)) should be served by \_\_\_\_\_.
4. Maximum of \_\_\_ interrogatories by each party to any other party.
5. Maximum of \_\_\_ requests for admission by each party to any other party.
6. Maximum of \_\_\_ depositions by plaintiff(s) and \_\_\_ by defendant(s).
7. Each deposition [other than of \_\_\_\_\_] should be limited to a maximum of \_\_\_ hours unless extended by agreement of the parties.
8. Expert disclosures (FRBP 7026(a)(2)) should be served by \_\_\_\_\_.
9. Rebuttal expert disclosures (FRBP 7026(a)(2)) should be served by \_\_\_\_\_.
10. Expert reports (FRBP 7026(a)(2)(B)) should be served by \_\_\_\_\_.
11. Rebuttal expert reports (FRBP 7026(a)(2)(B)) should be served by \_\_\_\_\_.
12. Any supplemental disclosures and discovery responses (FRBP 7026(e)) should be served by \_\_\_\_\_.

**D. MOTION PRACTICE**

1. Motions to join additional parties or to amend the pleadings should be filed by \_\_\_\_\_.
2. All other motions, except motions in limine, should be filed by \_\_\_\_\_.

**E. TRIAL PREPARATION**

1. When will you be ready for trial in this case? \_\_\_\_\_.
2. What is your estimate of the time required to present both sides of the case at trial (including rebuttal phase, if applicable)? \_\_\_\_\_.
3. How many witnesses do you intend to call at trial (including opposing parties)? \_\_\_\_\_.

**F. CONSENT TO BANKRUPTCY COURT JUDGMENT**

The following parties consent to entry of final orders or judgment by the Bankruptcy Court:

CSD 3018 [12/01/2022]

**G. PRETRIAL STATUS CONFERENCE**

A further pretrial status conference in this case should be held on \_\_\_\_\_ at \_\_\_\_ m.  
At that time, the Court may set deadlines for pretrial disclosures and objections (FRBP 7026(a)(3)) and schedule the final pretrial conference (FRBP 7016(e)).

**H. ADDITIONAL COMMENTS/RECOMMENDATIONS RE TRIAL:** (Use additional page if necessary.)

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

Firm Name \_\_\_\_\_

Firm Name \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_

Attorney for: \_\_\_\_\_

Attorney for: \_\_\_\_\_

LBR 7016-1(c) requires this form to be filed no later than 7 days after early conference of counsel.